



1617

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Docket No: 51737US019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
STEFELY, et al  
Serial No.: 10/078,805  
Filed: February 18, 2002  
For: BIOCOMPATIBLE COMPOUNDS FOR SUSTAINED RELEASE  
PHARMACEUTICAL DRUG DELIVERY SYSTEMS

Group Art Unit: 1617

Examiner: WEBMAN, Edward J.

| CERTIFICATE OF MAILING   |                                |
|--|--------------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on: |                                |
| <u>March 20, 2003</u>  | <u>Amber M. Staniec</u>        |
| Date   | Signature                      |
|  | Printed Name: Amber M. Staniec |

*Handwritten signatures and initials:*  
S/B  
3/24/03

Amendment

Commissioner for Patents  
Washington, DC 20231

Dear Examiner:

In response to the Office Action mailed January 8, 2003, kindly enter the following amendment and reconsider the application.

In the Claims

Please amend claim 42 as follows:

42. (Amended) A sustained release medicinal aerosol formulation comprising:
- (a) a propellant;
  - (b) A therapeutically effective amount of a drug; and
  - (c) a sufficient amount of a biocompatible polymer substantially completely dissolved in the formulation so as to provide for sustained release of the drug;
- wherein the sustained release formulation results in discrete, nonfilm forming particles upon delivery, and
- wherein the formulation is contained in a metered dose inhaler for oral and/or nasal inhalation.

*Handwritten:* B1